



Council on American-Islamic Relations

Washington State Chapter

9594 First Avenue Northeast, Suite 272, Seattle, Washington 98115

info@cairseattle.org 206.367.4081 www.cairseattle.org

February 19, 2013

U.S. Department of Justice
Civil Rights Division
950 Pennsylvania Avenue, N.W.
Educational Opportunities Section, PHB
Washington, D.C. 20530

Via U.S. Mail and Facsimile: 202.514.8337

Re: Complaint of Religious Discrimination against Concrete School District

Dear Chief Bhargava:

We hope this letter reaches you in the best of health and spirits. We are writing to inform you of an allegation of biased and inflammatory classroom content delivered by Ms. Mary Janda at Concrete Middle School and to ask that the United States Department of Justice conduct a thorough investigation of the incident.

_____ has informed us that his daughter, _____ complained about inflammatory anti-Muslim comments made by Ms. Janda during class. _____ is concerned that Ms. Janda is teaching inaccurate information about Islam and Muslims and subjecting students to an unsafe learning environment. _____ has authorized the Washington State chapter of the Council on American Islamic Relations (CAIR-WA) to contact you on his behalf, in a signed statement enclosed in this letter.

On October 29, 2012, ██████ contacted CAIR-WA to report an incident that occurred in ██████ science class the same day. The teacher, Ms. Janda, was leading a discussion on “Rachel’s Challenge”, an anti-bullying program, and Nazi Party Leader, Adolf Hitler. While discussing Hitler and the rise of the Third Reich, Ms. Janda suddenly changed topics stating that “just like Hitler,” Muslims train their children from birth to give their lives to Allah and are raised to be martyrs.¹ Ms. Janda also stated that Muslim children are raised and taught to “kill innocents.” In addition to inflammatory, bigoted, and inaccurate information provided, Ms. Janda subjected students to a dangerous learning environment. ██████

_____ is upset that Ms. Janda is teaching students inaccurate information about Islam and Muslims. Though there are no Muslim students currently enrolled in the district, Ms. Janda's actions threaten the equal access to education for potential Muslim students in the future, as well as threaten their safety by subjecting all her students to inflammatory, inaccurate information about Muslims.

Our concern is threefold. First, under Washington State law, the students in the Concrete School District have the legal right to attend school knowing that they will not be subject to the sort of inflammatory

1 Please note the correction from our original complaint to the school district. [REDACTED] states that Ms. Janda compared Nazis to Muslims only, not to Arabs.

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and discriminatory remarks made by Ms. Janda. RCW 28A.642.010 prohibits discrimination in Washington Public schools on the basis of religion. Title VI of the Civil Rights Act also prohibits discrimination on the basis of religion in any institution that receives federal funds. If Concrete School District is in violation of Title VI, their federal funds should be contested.

Second, we are concerned that there are not appropriate mechanisms in place to ensure that teachers follow class curriculum rather than inserting their own biased and factually inaccurate comments in class discussion. As a first step in the process of addressing this incident, CAIR-WA sent a letter to Concrete School District Superintendent Barbara Hawkins detailing [REDACTED] concerns and asking for an investigation of the incident as well as several clarifications of the school's effort to uphold state regulations and its own policies on curriculum content. In response, our organization received an email from the Superintendent in which she stated that the district had completed their investigation and "the incident did not involve any adopted curriculum" (see copies of the complaint letter and responses attached). Yet, this is precisely our concern. RCW 28A.642.020 requires the superintendent of public instruction to develop rules and guidelines to eliminate discrimination prohibited in RCW 28A.642.010 as it applies to public school employment, counseling and guidance services to students, recreational and athletic activities for students, access to course offerings, and in textbooks and instructional materials used by students. As acknowledged by Superintendent Barbara Hawkins, this teacher went outside of the adopted curriculum, subjecting all of her students to inaccurate and inflammatory statements about Islam and Muslims that were not within her or the school's authority to teach. We are asking that this incident be treated with the same severity as if Ms. Janda had compared Nazis to another minority group, such as African Americans, Jews, or immigrants.

Third, in addition to possible violation of state and federal laws, Concrete School District has violated their own policies as set forth by the school board. Policy 2020 on Curriculum Development and Adoption of Instruction Materials states that "staff shall rely on reason and professional judgment in the selection of...high quality materials" and shall "provide sufficient variety so as to present opposing views" and "present objectively the concerns of and build upon the contributions, current and historical, of both sexes, and members of religious, ethnic, and cultural groups." Ms. Janda neglected to provide any perspective opposing her own and presented entirely subjective, inflammatory material about a vast, diverse religious group. Ms. Janda's inflammatory comment may also violate Policy 2133 Diversity-Multicultural Education and Policy 2340 Religious-Related Activities and Practices. Finally, both the neglect of this complaint by the District and the lack of any formal investigation or correspondence violate Policy 4220 Complaints Concerning Staff of Programs as well as the corresponding procedure.

This incident concerns us not only as a civil rights issue, but also as a violation of public health and safety. By making the bigoted, misinformed comments that she did, Ms. Janda put an entire classroom of students at risk of going to school in an unsafe and degraded learning environment. While this one incident has been reported, we believe it may be indicative of a larger pattern and practice of discriminatory education about Islam and Muslims in Concrete School District. Given the concerns listed in this letter and the lack of action taken by the school in response to our complaints, we ask that the Department of Justice commence its own investigation of the incident and the legal violations that we believe have occurred within Concrete School District.

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Given that [REDACTED] has concerns for [REDACTED] the safety of [REDACTED] at Concrete Middle School were her identity to be revealed publicly, we are requesting that the identity of the family remain confidential throughout the complaint process.

CAIR is a national civil rights organization whose mission is to defend the civil and religious rights of Muslims in America. Please do not hesitate to reach me via e-mail at civilrights@wa.cair.com or via phone at 206.367.4081. We look forward to a swift and positive resolution.

Sincerely,

Jennifer Gist
Civil Rights Coordinator

Enclosure: Signed Information Release Statement
November 21, 2012 complaint letter to Concrete School District
December 20, 2012 email from Superintendent Barbara Hawkings to CAIR-WA

Cc: Honorable Maria Cantwell, U.S. Senate
Honorable Patty Murray, U.S. Senate
Dr. Randy Dorn, Washington Superintendent of Public Instruction
U.S. Department of Education, Office for Civil Rights
Concrete School District Board Members
Mr. Don Beazizo, Principal, Concrete Middle School
Ms. Mary Janda, Teacher, Concrete Middle School
Representative Suzan DelBene, 1st Congressional District
Senator Val Stevens, 39th Legislative District
Representative Dan Kristiansen, 39th Legislative District
Representative Kirk Pearson, 39th Legislative District
Mr. S. Arsalan Bukhari, Executive Director, CAIR-Washington
[REDACTED]

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